

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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TEVA PHARMACEUTICAL INDUSTRIES )  
LTD. and TEVA PHARMACEUTICALS )  
USA, INC., )

Plaintiffs )

v. )

TARO PHARMACEUTICALS U.S.A., INC. )  
and TARO PHARMACEUTICAL )  
INDUSTRIES LTD., )

Defendants.

Civil Action No. 1:07-cv-5914 (PAC)

**ORDER FOR EXTENSION OF TIME FOR SERVICE OF COMPLAINT**

WHEREAS, Plaintiffs Teva Pharmaceutical Industries Ltd. and Teva Pharmaceuticals USA, Inc. (collectively "Teva") and Defendants Taro Pharmaceutical, U.S.A., Inc. and Taro Pharmaceutical Industries Ltd. (collectively "Taro") are engaged in settlement negotiations to resolve this matter without the need of further litigation;

WHEREAS, the 120-day deadline for service of the Complaint set forth in Rule 4(m) ended on October 19, 2007;


WHEREAS, the Court granted Teva a 30-day extension of time to serve the complaint extending the deadline for service of the complaint until and including November 19, 2007;

WHEREAS, Teva and Taro continue to engage in settlement negotiations to resolve this matter without the need of further litigation; and

WHEREAS, Teva believes that an additional 30 days will provide the parties the opportunity to settle this matter and to avoid any unnecessary expense in service of the Complaint.

IT IS ON THIS 14<sup>th</sup> DAY OF December, 2007

ORDERED that deadline of service of the Complaint in this matter be extended for 30 days until and including Wednesday, December 19, 2007.

  
\_\_\_\_\_  
Hon. Paul A. Crotty  
United State District Judge

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November 19, 2007

**VIA E-MAIL**

Hon. Paul A. Crotty  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1620  
New York, NY 10007

**Re: Teva Pharmaceutical Industries Ltd. & Teva Pharmaceuticals USA, Inc.  
v. Taro Pharmaceutical, U.S.A., Inc. and Taro Pharmaceutical Industries  
Ltd., Case No. 1:07-cv-5914 (PAC)**

Dear Judge Crotty:

We represent the plaintiffs Teva Pharmaceutical Industries Ltd. and Teva Pharmaceuticals USA, Inc. ("Teva") in the above-referenced matter against Taro Pharmaceutical, U.S.A., Inc. and Taro Pharmaceutical Industries Ltd. ("Taro"). We write to respectfully request that the Court enter the enclosed proposed order for a second 30-day extension of plaintiffs' time to serve the Complaint, pursuant to Fed.R.Civ.P. 4(m).

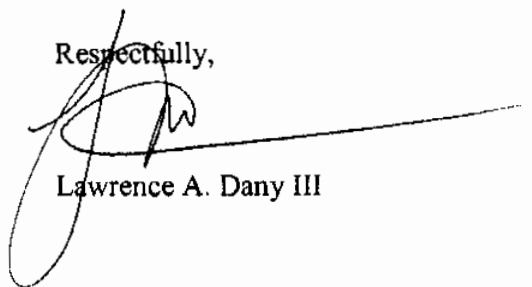
This action is filed by Teva alleging infringement of certain patents owned by Teva covering processes for the manufacture of the drug compound carvedilol, and also various forms of this drug. Teva and Taro have been engaged in negotiations that may resolve this matter without the need for further litigation. The 120-day deadline for service of the complaint pursuant to Rule 4(m) initially ended on October 19, 2007. The Court granted Teva's request for a 30-day extension of time, which extended the time to serve the complaint until and including November 19, 2007.

Hon. Paul A. Crotty  
October 16, 2007  
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The parties continue to engage in negotiations to resolve this matter without the need for further litigation. Teva respectfully requests a second 30-day extension of time, until December 19, 2007, to provide the parties the opportunity to settle this matter and therefore obviate the need for service of the Complaint. Accordingly, Teva respectfully submits that good cause exists for this extension under Rule 4(m), and requests that Your Honor enter the enclosed order on the docket.

We thank the Court for its consideration of this request.

Respectfully,

A handwritten signature in black ink, appearing to be 'Lawrence A. Dany III', with a long horizontal line extending to the right.

Lawrence A. Dany III

/ns  
Enclosure  
cc: All Counsel (via e-mail)